

HB 187 Outfitter Assistant
Introduced by Rep Kelly Flynn
Comments for Business and Labor Committee Hearing
1/17/13 8:00 am Room 172

HB 187 authorizes the use of an Outfitters Assistant to perform certain duties of a licensed guide, for a limited time period, should the supervising outfitter be faced with a guide vacancy due to an emergency. This position would be exempt from licensing.

Historically the industry relied on the Emergency Guide License which was issued by the Outfitter, and not the Board of Outfitters, for the purpose of maintaining and meeting staffing requirements. This system worked very well. The Emergency Guide License was simply issued by the Outfitter to the employee of the Outfitters choice and application and payment was forwarded to the Board of Outfitters.

In 2010 that practice was reviewed and deemed illegal by a new Board attorney who pointed out the Board does not have the authority to empower Outfitters to hire emergency guides without Board screening and approval. At that point the practice of using Emergency Guide Licenses was suspended and the Outfitter had no solution for periodic and unforeseen staffing losses due to illness, injury or unavailability.

The Board of Outfitters and the Industry struggled for a few years to create the Provisional Guide license which was a form of license that allowed guide candidates to be prescreened and called off the bench should they be needed. In practice the Provisional program was unwieldy and clumsy and was subsequently never used. The Provisional Guide License was deemed a failure and is in the process of being repealed.

The Outfitter Assistant is modeled after other commonly unlicensed job classes where significant responsibility is placed with an employee who is supervised by the employer. Medical Assistant, Surgical Assistants and Dental Assistants are all commonly used throughout the medical services industry. It was in accordance with these existing models that the Outfitter Assistant is proposed.

An outfitter assistant would be hired and supervised by the outfitter. They would be required to carry proof of employment with them while in the field and their employment period may not exceed 15 days unless they apply and actively seek a guide license from the Board of Outfitters. The Outfitter Assistant is a person who is employed and directed by a licensed outfitter to perform the tasks of a guide but the Outfitter Assistant may not represent themselves to the public as an Outfitter guide or professional guide.

HB 187 provides a practical solution to a real business issue for outfitters on those occasions where an outfitter must address an unforeseen loss of a guide. HB 187 is modeled after other successfully managed job classes serving important and highly skilled professions. It will provide a legal solution for Outfitters who must have the ability to replace necessary guide staff with employees of their choice as interim replacements.